

Bay Delta Conservation Plan (BDCP)

Steering Committee Meeting

Feb 8, 2008, 9:00 a.m. to 12:00 p.m.
Resources Agency Bldg., Room 1311

Draft Meeting Notes

Associated Documents/Handouts:

- Agenda
- Decline of Salmon in California in 2007/2008
- US Fish and Wildlife Service's Delta Smelt Captive Rearing Update from February 1, 2008
- BDCP Draft Public Outreach Plan
- Draft Notice of Preparation (NOP) for CEQA

Action Items and Key Decisions

- The BDCP field trip, a tour of north Delta sites for BDCP members, will take place on February 21, 2008. Metropolitan and Westlands are coordinating logistics.
- The Public Policy Institute of California (PPIC) will give a 30 minute presentation at the February 22nd SC meeting, hosted by The Nature Conservancy. The presentation will examine initial findings on topics including Delta hydrodynamics, levees, and economic parameters under future climate change conditions.
- Working Groups and Technical Teams will continue to meet as needed and will coordinate and work closely together on shared issues.
- Membership is still being worked out for Working Groups and Technical Teams.
- The Analytical Tools Technical Team has refined their responses to the Independent Science Advisor recommendations of how and when to use analytical tools in the BDCP process. These will be brought to the next SC meeting.
- The Other Stressors Working Group is in the process of being formed. Brent Walthall will be a co-chair. The co-chair and first meeting time will be addressed by the next SC. SC members should contact the management team with suggestions of members and to volunteer.
- The Conveyance Working Group anticipates creating several technical sub-groups that will meet on an as-needed basis to consider complex topics related to water conveyance and operations planning.
- SC members with upcoming BDCP-related outreach needs will submit requests for public outreach materials to the Public Outreach Working Group.
- Jerry Johns, DWR, to discuss with DFG the topic of agency roles in the BDCP CEQA process.

Updates

- John Engbring reporting: USFWS presented a Delta smelt captive rearing program update (see also Attached Documents/Handouts). Due to low population numbers and high uncertainty about life history, this facility will attempt to ensure that fish are available for restoration or supplementation should it be necessary in the future, and will support research needs (e.g., population genetics). DWR is also involved in this effort.
- Jerry Johns reporting: Fish and Game Commission has received a petition to list the longfin smelt under the state Endangered Species Act. Fish and Game Commission will review and make a decision within one year. The Commission issued a 180 day emergency regulation at its hearing on the petition. Longfin smelt have a different geographic distribution than Delta smelt; they generally rear farther west than Delta smelt, and are, therefore, less vulnerable to entrainment at the pumps.

- Russ Strach reporting: A study of salmon decline has been conducted by several NMFS's science centers (see also Attached Documents/Handouts). Coho salmon have declined 75% from cohorts of 3 years ago. The study points to ocean conditions (e.g., low productivity) as the primary culprit of the decline. Russ Strach will make the white paper available to the group.
- Karen Scarborough reporting: BDCP is continuing to stay regularly coordinated with Delta Vision.

Biological Goals and Objectives Working Group

The group has completed its task and will not reconvene until called upon to do so.

Conveyance Working Group

Jerry Johns and Ann Hayden (co-chairs) presenting. The Working Group continues to work on a detailed scope and direction; the latest draft of the scope incorporated comments from the last SC meeting. Three new potential technical teams were discussed; pertaining to modeling assumptions, fish screening, and operating criteria. Another technical team would discuss the interrelationship between flow and habitat restoration. This team is proposed to be called the Habitat and Operations Technical Team (HOTT), and would consist of members from the Conveyance Working Group and the Habitat Restoration Technical Team. Who will populate these new technical teams and how they will be managed remains to be resolved. The group will meet again in one week.

Implementing Structure/Governance Working Group

Richard Roos-Collins and Roger Patterson (co-chairs) presenting. The Working Group will meet for the second time after today's SC meeting. The group will speak via phone with two people involved in the Lower Colorado River Multi Species Conservation Program (LCR MSCP) to learn about implementation structure and governance in this HCP. First, Sean Skaggs (partner at Ebbin Moser Skaggs LLP) will speak about the Funding and Management Agreement (FMA) and his role as counsel to USBR during LCR MSCP development. Second, Lorri Gray (USBR Regional Director for Lower Colorado Region and formerly Program Manager for LCR MSCP) will speak about strengths and weaknesses of the LCR MSCP's implementation structure and governance. The group will meet again in three weeks.

Analytical Tools Technical Team

Campbell Ingram (TNC) and Jerry Johns (DWR) (co-chairs) presenting. The team is meeting regularly and is working to determine their scope and direction. Members of the team are interfacing with co-chairs of other groups to determine what their analytical tools needs may be. The team is also working on how and when to use the Independent Science Advisor recommendations regarding analytical tools; they will bring a handout with their suggestions to the next SC meeting. One of the team's next steps will be to address the list of all available analytical tools that SAIC has compiled.

Public Outreach Working Group

Karla Nemeth (co-chair) and Janet Barbieri (Jones and Stokes Associates) presenting. The draft BDCP Public Outreach Plan was overviewed (see also Associated Documents/Handouts). The Plan is written as a public document to serve as a work plan that will be updated on a regular basis. The Plan outlines the public outreach program, including statutory requirements, goals and objectives, and strategies. Specific approaches to outreach, such as informational materials, public meetings, media, websites, and distribution networks, were outlined. The public outreach plan was discussed and the SC offered feedback. Outreach materials can be made available with advance notice to SC members with upcoming BDCP presentation or meeting needs. SC members were asked to keep track of the breadth of audience addressed at these forums for the purpose of documenting the scope of public outreach.

Other Stressors Working Group

Brent Walthall will be a co-chair of this group; a first meeting date and his co-chair will be determined before the next SC meeting.

Habitat Restoration Technical Team

Dave Harlow (co-chair) presenting. The team is developing a map of restoration opportunity areas where restoration actions could occur and be likely to achieve success. The type of restoration actions being considered are being prioritized based on known stressors and habitat types. A list of 9 types of restoration actions has been generated. These have been put into three broader categories of actions: those actions ready for detail, those actions needing to be worked on by the HOTT subgroup, and those actions that should be addressed by the Other Stressors/Conservation Measures Technical Team. The stressor table developed in 2007 by SAIC is being used as a foundation document for this process; it will be modified as appropriate to reflect additional input. The fishery agencies will review the tables based on the DRERIP conceptual model outputs and their ongoing recovery planning activities.

The Technical Team is refining their response to the Independent Science Advisor report. The Habitat Restoration Team will coordinate with Biological Goals and Objectives, Governance, Analytical Tools, Conveyance, and other Working Groups and Technical Teams as they move forward.

Notice of Intent (NOI) and Notice of Preparation (NOP) Updates

Jerry Johns (DWR) presenting. The BDCP Notice of Intent (NOI) to commence the NEPA process was published in the Federal Register on January 24, 2008. The comment period ends March 24, 2008. A draft Notice of Preparation (NOP) for the CEQA process was distributed to the group (see also Associated Documents/Handout). The dates are currently working dates. Comments were solicited.

For the purposes of CEQA, DWR will be the lead agency in the preparation of the EIR. The Committee discussed the merits of DWR being the lead in the process. Jerry Johns and DFG agreed to discuss ways in which DWR and DFG work closely throughout the CEQA process. He will bring a revised draft NOP to the next SC meeting. On the federal side, it remains undecided which agency or agencies will be the lead or leads on the NEPA process. USBR is in discussion with the other federal agencies about issuing an updated NOI to clarify USBR's role in the process.

As a clarification on the NOI that was already released, Contra Costa Water District was incorrectly listed as one of the PREs.

Public Comments

Barbara Byrne. Planning and Conservation League (PCL). 1) Point on public outreach presentation. PCL wants to underscore the importance of public outreach to the process and that issuing notices of public meetings with sufficient advance notice is of utmost importance. 2) With respect to the independent science input, PCL is glad that the liaison committee will be reconstituted; PCL encourages the Committee to bring science in earlier rather than later in the process.

Ken Trott. California Department of Food and Agriculture. Agriculture is under a great deal of stress in the Delta; this will be magnified by the Delta Vision process. 1) Looking at the environmental issues listed in the NOP for CEQA, he recommends listing agriculture as one of these. 2) He encourages that Working Groups consider agriculture in their deliberation. 3) His group is happy to assist in the public outreach effort.

Attendees - Management and representatives

In person

Karen Scarborough (Chair, the Resources Agency)
Marc Ebbin (DWR/The Resources Agency)
Cindy Darling (The Resources Agency)
Will Stelle (The Resources Agency)
Roger Patterson (Metropolitan)
Kenny Watkins (California Farm Bureau Federation)
Tom Howard (SWRCB)
Frank Michny (USBR)
Karla Nemeth (Zone 7)
Tracy Ligon (Santa Clara Valley Water District)
Jerry Johns (DWR)
Richard Roos-Collins (American Rivers/Natural Heritage Institute)
Kim Delfino (Defenders of Wildlife)
Anthony Saracino (The Nature Conservancy)
Ann Hayden (Environmental Defense)
Gary Bobker (The Bay Institute)
Russ Strach (NOAA Fisheries)
John Engbring (USFWS)
Ara Azhderian (SLDMWD)
Paul Cylinder (SAIC)
Laura King Moon (State Water Contractors)

On phone

Greg Gartrell (Contra Costa Water District)
Ron Kino (Mirant)
Leo Winternitz (CBDA)
Chris Scheuring (CFBF)
